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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,120	06/07/2005	Michael S Griffith	540-566	1990

23117 7590 06/11/2008

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER
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SHAFFER, RICKY D

ART UNIT	PAPER NUMBER
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2872

MAIL DATE	DELIVERY MODE
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06/11/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10538120	6/7/05	GRIFFITH ET AL.	540-566

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

**EXAMINER**

Ricky D.. Shafer

ART UNIT	PAPER
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2872	20080608
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DATE MAILED:

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**Commissioner for Patents**

See Attachment.

1. The reply filed on 02/20/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to address and/or properly respond to the objections to the drawings, set forth as item 13 of the last Office action mailed on 09/20/2007. In addition, applicant response to the objection of claim 9, is incomplete and non-sensical due to the fact that claim 1 clearly and positively recites a deformable mirror (see claim 1, lines 2, 6 and 8) and a deformable-mirror holder (see claim 1, line 1). Thus, claim 9 clearly fails to further limit the subject matter of claim 1. In order to be fully responsive to this communication, applicant is required to address and/or properly respond to the objections to the drawings; and cancel claim 9, or amended claim 9 to place the claim in proper dependent form, or rewrite the claim in independent form. Failure to provide such a response will result in the application being held abandoned. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320.

The examiner can normally be reached on Mon-Fri. 11:00 to 7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RDS

June 08, 2008

/Ricky D. Shafer/  
Primary Examiner  
Art Unit 2872